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NOTICE OF ALLOWANCE AND FEE(S) DUE

76137 7590 04/20/2009

RICOH/FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER

THOMPSON, JAMES A

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 04/20/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/814,700

03/30/2004

Peter E. Hart

20412-08455

7223

TITLE OF INVENTION: PRINTER USER INTERFACE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	07/20/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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76137 7590 04/20/2009

**RICOH/FENWICK
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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,700	03/30/2004	Peter E. Hart	20412-08455	7223

TITLE OF INVENTION: PRINTER USER INTERFACE

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	07/20/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
THOMPSON, JAMES A	2625	358-001900

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

THOMPSON, JAMES A

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	10/814,700	HART ET AL.	
	Examiner	Art Unit	
	James A. Thompson	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12 January 2009 and 05 January 2009.
2. ☒ The allowed claim(s) is/are 1-49 and 51-123.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>1/5/09</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other ____. |
|---|--|

/James A Thompson/
Examiner, Art Unit 2625

/Edward L. Coles/
Supervisory Patent Examiner, Art Unit 2625

DETAILED ACTION***Response to Arguments***

Applicant's arguments, see pages 21-26, filed 12 January 2009, with respect to the rejections of the claims under 35 U.S.C. § 103(a) have been fully considered and are persuasive. The rejections of the claims under 35 U.S.C. § 103(a) have been withdrawn. While Examiner does not agree with every argument proffered by Applicant, Examiner ultimately agrees that the presently amended claims are not fully taught by the previously cited prior art rejections. Further, Examiner has discovered no additional prior art which anticipates the present claims and/or renders the present claims obvious to one of ordinary skill in the art at the time of the invention. In the interest of completeness of the record, Examiner addresses Applicant's particular arguments below.

Regarding page 21, line 1 to page 24, line 10:

Applicant argues that Examiner has relied upon three separate references to teach the user interface.

Examiner replies that reliance on a large number of references in a rejection does not, without more, weigh against the obviousness of the claimed invention. See *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991).

Applicant argues that Steele (US-5,884,056) does not teach a user interface with a function selection menu including user-selectable video range functions.

Examiner replies that figure 6 and column 7, line 62 to column 8, line 2 of Steele shows a user interface display for selecting videos using thumbnails, text descriptors and other information such as the characteristics of the file. However, upon further consideration, Examiner does agree that this does not fully constitute user-selectable video range functions.

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Applicant argues that Chino (US-6,118,888) does not teach the claimed audio range selection.

Examiner replies that column 14, lines 8-18 of Chino demonstrate that the user selects various audio range functions, such as whether or not audio is input, and the noise control. Thus, Chino does teach selecting one of a plurality of user-selectable audio range selection functions to be applied to the time-based media by the processor.

Regarding page 24, line 11 to page 25, line 8:

Applicant argues that the claim element is not taught by the references, but would instead teach a video printer capable of browsing online videos and a multi-modal interface to receive audio from the user.

Examiner replies that Applicant's separately formulated combination is based on generalities of the references and does not specifically address the combination as set forth in the rejections.

Applicant argues that allowing a user to select various video and audio range selection functions on a multifunction printer is not known in the art. Applicant further contends that Examiner has provided no reference to show a user interface on a printer that provides a menu with user-selectable audio and user-selectable video range functions.

Examiner replies that it is not a requirement of 35 U.S.C. § 103(a) to find a single reference that teaches each and every element of a claim. There are many possible combinations of user-selectable functions that can be placed into a user interface, so much so that it would defy any attempts to find them all in a single reference. However, this does not by itself confer non-obviousness upon such a user interface. Applicant has the burden to specifically show that Examiner's particular combination of references is faulty.

Applicant argues that Examiner's combination would require the references to be modified well beyond their "established functions" precluding the "predictability" of such a combination.

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Examiner replies that Examiner agrees that Examiner's previous combination of references, particularly in light of the present amendments to the claims, would require modifications of the references that would preclude predictability. Further, such a combination of the three combined elements from Sugiyama (US-5,633,723), Steele and Chino would not have been obvious to one of ordinary skill in the art at the time of the invention.

Regarding page 25, lines 9-18:

Applicant argues that Sugiyama, Steele and Chino are not within the same art.

Examiner argues that Sugiyama, Steele and Chino are all analogous art. It has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, all three references are concerned with the control and processing of time-based media data.

Regarding page 25, line 19 to page 26, line 13: While Examiner has not agreed all of Applicant's arguments, Examiner does agree that a sufficient case has been made that the combination of Sugiyama, Steele and Chino does not fully teach each and every element of claim 1 as presently amended. Thus, for similar reasons, claim 78 is also not fully taught by said combination. Examiner has not discovered any additional prior art references which, either alone or in combination, teach each and every element of claims 1 and 78. Therefore, independent claims 1 and 78 are deemed allowable. Claims 2-49, 51-77 and 79-123 are also deemed allowable based on their respective dependencies from allowable claims.

Allowable Subject Matter

Claims 1-49 and 51-123 are allowed.

The following is an examiner's statement of reasons for allowance:

Independent claim 1 recites a multifunction printer for printing time-based media. The time-based media includes at least video and audio data, upon which various range selection functions can be performed *as per* specific user inputs. The printer includes a user interface which allows a user to select a plurality of video range functions and audio range functions, which a processor within the printer then performs. A hardcopy of the resultant data is printed out on a first output device, and then received by a second output device which produces an electronic representation including the printed representation.

The invention recited in claim 1 is advantageous since it allows for greater flexibility and operability than other multifunction printer found in the prior art. Examiner has not discovered this particular combination of features in the prior art, either in a single reference or in an obvious combination of references. Sugiyama does not process audio data and allows a user simply to capture frames from video data, rather than allow a user to select a plurality of video range functions. Steele does not separately process audio data and allows a user to select and refine a display of thumbnails related to video data prior to a possible download of the video, but does not allow a user to select a plurality of video range functions. Chino allows a user to select a plurality of audio range functions, specifically whether or not audio is input, and noise control, but does operate with respect to video or perform any kind of printing. The combination of Sugiyama, Steele and Chino does not fully teach claim 1.

Other relevant art includes Tomitsuka (US-5,566,271) which processes video and audio separately and allows the user to select a plurality of different video and audio functions. However, Tomitsuka does not disclose a multifunction printer for printing time-based media, and does not disclose user-selected audio *range* functions and video *range* functions.

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Other relevant art also includes Gupta (US-7,313,808) which teaches various video range selection functions, as well as other video functions, but does not teach audio range selection functions or a multifunction printer for printing time-based media.

Accordingly, claim 1 is deemed allowable over the prior art.

Claim 78 recites the method performed by the printer of claim 1. Therefore, claim 78 is deemed allowable for reasons similar to those given for claim 1.

Claims 2-49, 51-77 and 113-123 each depend, either directly or indirectly, from claim 1 and are therefore allowable at least due to their respective dependencies from an allowed claim.

Claims 79-112 each depend, either directly or indirectly, from claim 78 and are therefore allowable at least due to their respective dependencies from an allowed claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is (571)272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward L. Coles/
Supervisory Patent Examiner, Art Unit 2625

/James A Thompson/
Examiner, Art Unit 2625

04 April 2009